

REMARKS

The present application includes claims 1-13. In the communication dated November 7, 2003, in response to the restriction requirement, Applicants elected claims 1-3, 5-6 and 8-10 of Species I, without prejudice.

Claims 4, 7, 9 and 11-13 were withdrawn by the examiner.

Claim Amendments

Claims 8 and 9 have been amended for the purpose of clarification. The terms "MOSFET" and "IGBT" have been defined. The support for the added definitions can be found in the specification, paragraph [0017].

Claims 10-13 have been cancelled.

New claim 14 recites a gate pin, a plurality of drain members and a plurality of source members. The support for the added recitation can be found in the specification, paragraph [0020].

There is no new matter added.

Claim Rejection Under 35 U.S.C. § 112.

Claim 9 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The examiner has rejected claim 9 because the examiner has found that the term "TO220 device" was unclear and confusing. However, claim 10, not claim 9, recites "TO220 device." Claim 10 has been presently cancelled. In claim 9, the term IGBT has been defined as "isolated gate bipolar transistor". As stated above, the support for the definition can be found in the specification, paragraph [0017].

Claim Rejections Under 35 U.S.C. § 102(b)

Claims 1 to 3, 5, 8, and 9 were rejected under 35 U.S.C. § 102(b) as being anticipated by Kaufman (US Patent No. 4,902,854).

Applicant respectfully disagrees and submits that Kaufman does not anticipate the claimed device.

First, the examiner has stated that Kaufman's device (Figures 1-10) has a first non-conductive substrate member 36 having an outer surface; a second non-conductive substrate member 28 having an outer surface. This finding is incorrect because the element indicated by the number "28" is actually an "electrically conductive copper base plate" (col. 2, lines 15-16).

Second, the examiner has stated that Kaufman's device has a first layer of solderable electrically conductive material 34 secured to the outer surface of said first non-conductive substrate member, a second layer of solderable electrically conductive material 30 secured to the outer surface of said second non-conductive substrate member. Again, this finding is incorrect because the copper ring 34 is actually "directly and hermetically bonded to the underside of ceramic top cover 36" (col. 2, lines 42-43), and copper ring 30 is "placed in contact with the top 32 of side wall 18 of tub 14 (col. 2, lines 16-17). Further, tub 14 is positioned between top cover 36 and ceramic substrate 26 (see Figure 1), accordingly, top 32 of side wall 18 of tub 14 is not an outer surface of said second non-conductive substrate member.

In addition, there is nothing in Kaufman that teaches, suggests, or motivates the layers of solderable electrically conductive material secured on the outer surface of the two substrate members. The solderable electrically conductive layers of the present invention are isolated from the integrated circuits and pins by both ceramic substrate members, therefore, the use of heat sink pad are eliminated (see specification, paragraph [0024]).

Kaufman does not address the elimination of the heat sink pad. Based on the foregoing reasons, Kaufman cannot be viewed as anticipating or rendering the device of claims 1 to 3, 5, 8, and 9 obvious.

Claim Rejections Under 35 U.S.C. § 103(a)

Claim 6 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Kaufman (U.S. Patent # 4,902,854).

Claim 6 depends from claim 5, therefore it contains all the elements of claims 1 and 5. As discussed above Kaufman does not render claims 1 or 5 obvious. Therefore claims 1 to 3, 5, 6, 8, and 9 overcome the rejection based on Kaufman.

Claims, 4, 7 and 9 have previously been withdrawn by the examiner following Applicants' election of Species I. Claims 4, 7 and 9 should be reconsidered and allowed due to the fact that claims 4, 7 and 9 depend from claim 1, and that claim 1 is an allowable generic claim.

New claim 14 depends from claim 1, and as above-mentioned, the support of new claim 14 is found in the specification, paragraph [0020].

Based on the claim amendments and the reasons set forth above, Applicants respectfully request reconsideration and allowance of claims 1-9 and 14.

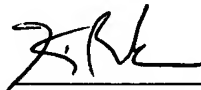
Appl. No. 10/050,344
Amdt. dated April 23, 2004
Reply to Office Action of January 26, 2004

CONCLUSION

Applicants believe that the application, as amended, is now in allowable form and action toward that end is respectfully requested. If any issues remain that can be resolved by telephone, Examiner Williams is invited to call the undersigned attorney at (317) 237-0300.

Respectfully Submitted,

By:



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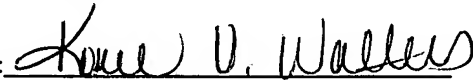
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Korie V. Walters